UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 March 2010*.
2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-12* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This Office Action is in response to the Arguments filed on 19 March 2010.

2.   The claims were not amended.

3.   Claim 1-12 are pending and have been examined in this Office Action

Response to Arguments

4.   Regarding the rejection of Claim 3 under 35 U.S.C. § 112, second paragraph, Applicants' arguments were persuasive and this rejection is respectfully withdrawn.

5.   The rejection of Claim 12 for invoking 35 U.S.C. § 112, sixth paragraph is respectively withdrawn as Applicants' specification in paragraphs [0084-0088] discloses the structure required to support the claim.

6.   Applicants' argue regarding the rejection of Claims 1-12 under 35 U.S.C. § 103(a) that *"determining the service type as described in Countryman consists of determining whether a call is associated with a pre-paid or post-paid account for purposes of routing the call handle to a pre-paid or post-paid service .... Thus, Countryman describes how the actual call handle is routed." "Claim 1 of the pending application instead is related to how a tariff (bill) for a data transaction, such as a call, SMS, or MMS, is handled. Claim 1 in no way has a bearing on how a data transaction itself is routed."* Respectfully, Claim 1 was rejected using Titus which incorporates by reference Countryman. Titus in at least Column 4, lines 22-32 discloses a prepaid tariff engine 150 which supports remote interaction with the Short Message Service Center (SMSC) 120 and web chat servers (e.g. 170) for the purpose of applying real-time billing charge for each message. Titus further discloses in at least Column 4, lines 33-51 that the prepaid tariff engine 150 preferably supports tariffing based on the following message types: Short Message Service Mobile Originated (SMSC MO), SMSC Mobile Terminated (SMSC MT), Prepaid Internet Chat Rooms/Messages, Pre-paid Internet Push information service messages (e.g., stock quotes, e-mail, weather, sports scores, etc.), Prepaid Individual & Network

Game cards/application, and Wireless Application Protocol (WAP) services. Therefore Claim 1 is properly rejected and remains rejected.

7.   Applicants' argue with respect to the rejection of Claim 1 under 35 U.S.C. § 103(a) that *"Countryman teaches that it is necessary to route the data transmission in only one of two ways. In contrast, pending claim 1 is directed to establishing a routing criteria for tariff information, calculating a tariff, and 'routing the tariff to one or more billing destination, being selectable from a plurality of available billing destinations, in accordance with the routing criteria previously established.' Thus, it is clear that the arrangement of the pending claims is advantageous over that set forth in Countryman because it allows for much greater flexibility: a single data transaction may be billed to a single account, or divided and billed across multiple accounts."* Respectfully, the Examiner must disagree. The limitation "a single data transaction may be billed to a single account, or divided and billed across multiple accounts" is not in Claim 1.

8.   Applicants' further argue regarding the rejection of Claim 1 under 35 U.S.C. § 103(a) and Figures 10 and 11, as well as paragraph [0112] of the pending application that *"An attempt is made to deduct the tariff from the primary account, but if the primary account does not have a sufficient balance to cover the tariff, it is deducted from the secondary account."* Respectfully, the above mentioned limitations are not included in Claim 1. Titus in at least Fig.4 and Column 7, lines 6-35 discloses a Step 415 which ensures billing is performed by providing a default billing mechanism. Titus in at least Column 7, lines 36-59 provides for automatic and manual account replenishment when an account has insufficient funds.

9.   Applicants' further argue regarding the rejection of Claim 1 that *"Figure 14 also shows a similar functionality, where the 'loyalty scheme' referred to at step 4 is the primary account, and the 'external prepaid account' of step 5 is the secondary account. In this embodiment, some of the tariff is taken from the loyalty scheme, and the remainder is removed from the external prepaid account."* Respectfully, the above mentioned limitations are not included in Claim 1. Also the Examiner in unable to find any teaching in paragraphs [0110 through 0121] where the billing is divided among accounts, the billing always appears to be determined on a pre-paid or post-paid account.

Claim Rejections - 35 USC § 103

10.   **Claims 1-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Titus et al., US 7,428,510 B2 hereinafter known as Titus and in further view of Countryman et al., US 6,952,575 B1 which is incorporated by reference and hereinafter known as Countryman.

Claim 1:

With regard to the following limitations:

- *Wherein the mobile telecommunication network incorporates a data switching center,*

- *The data switching center being adapted to receive data transactions transmitted by a subscriber, and*

- *Route them to the appropriate destination,*

Titus in at least Fig.1, Fig.2 and Column 1, lines 60-67 discloses a method and apparatus for handling a prepaid messaging service which is comprised of tariffing a short message before transmission where an account database is queried to determine if an <u>account corresponding to an addressed part of the short message has sufficient funds</u> to pay for transmission of the short message and if sufficient funds are available the short message is transmitted. Titus in at least Column 3, lines 18-32 discloses that Countryman discloses an architecture and method for providing prepaid voice call management in an intelligent network where conventionally, wireless and Internet short messaging services have been capable of billing on a <u>postpaid basis</u>.

Countryman in at least Fig.1, Fig.3A and Column 1, lines 9-13 discloses a method, an apparatus and network architecture for <u>management of calls</u>, particularly prepaid calls in a telecommunications intelligent network. Countryman in at least Column 2, lines 23-37 discloses an invention for <u>managing a call between an originator and a destination </u>in a telecommunications network. Countryman further discloses that the present invention is comprised of the steps of <u>receiving a call initiation from the originator</u>, <u>determining a service type associated with the call</u>, <u>routing the call handle of the call</u> to a service control point if the service type is a first service type,

e.g., a prepaid service type, the <u>service control point having a database of profiles</u> of the plurality of subscribers of the telecommunications network, exchanging at least one message between the service control point and a service switching point to establish a communication link between the originator and the destination.

Countryman in at least Column 2, lines 50-61 further discloses that the <u>establishment of the communication link</u> is based on <u>account balance information of the plurality of subscribers</u> stored in the database.

Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to combine the well known elements of Titus regarding prepaid messaging service with the equally well known elements of Countryman regarding determining the service type associated with post-paid and pre-paid calls with the motivation to insure that subscribers/clients are properly billed for the usage of each of the various service types.

- ***Receiving service detail records of a specific data transaction transmitted by or to a subscriber containing unique indicia associated with the subscriber,***

- ***Associating the retrieved unique indicia with one or more records previously stored in a subscriber database so as to establishing routing criteria for the specific subscriber,***

- ***Effecting the calculation of a tariff for the data transaction, and***

- ***Routing the tariff to one or more billing destinations based on the routing criteria.***

Titus does not specifically disclose the use of unique indicia associated with the subscriber per se, however in at least Column 3, lines 33-41 discloses that real-time billing can be implemented for the delivery of short messages, allowing the prepayment of short message services. The <u>real-time billing</u> can <u>debit subscriber balances for service usage</u> and can suspend short messaging services for a <u>particular subscriber when the subscriber's account balance is depleted</u>. Titus in at least Column 2, lines 49-57 further discloses that short messages may be tariffed based on the substance (size of, etc.) of the short message being transferred.

Titus in at least Column 4, lines 22-27 further discloses that the prepaid short messaging server 200 comprises a prepaid short messaging account database 110, a prepaid short messaging service application 100, and a prepaid short messaging service rating engine (i.e. prepaid tariff engine) 150.

Titus in at least Column 4, lines 41-50 discloses that the prepaid short messaging service supports service provider creation of subscriber classes of service that define and uniquely identify subscriber rate and/or tariffing plans used to apply real-time billing charges for sending or receiving messages

Titus in at least Fig.1, Column 4, lines 59-67 and Column 5, lines 1-42 discloses the SMSC application 120 receiving an (SMSC-MO) mobile originated small message service from Mobile A and destined for Mobiles B & C (104, 106) and a Desktop Chat client (190) which are non-prepaid accounts. The SMSC validates the identify of Mobile A 102, then queries the prepaid short messaging account database 110 to determine if sufficient balance exists to deliver the message originated by Mobile A. The prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code). Mobile A's account is then debited based upon the billing rate as computer by the prepaid tariff engine 150 and the message is delivered to Mobile B & C and the Desktop Chat client.

Claim 2:

With regard to the limitation:

- ***Wherein the routing criteria is determined based on the parameters uniquely associated with the specific data transaction.***

Titus in at least Colum 5, lines 21-28 discloses a prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but

not limited to, the following exemplary criteria: Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code).

Claim 3:

With regard to the limitation:

- *Wherein the routing criteria is determined independently of parameters uniquely associated with the specific data transaction.*

Titus in at least Column 2, lines 40-47 discloses that voice telephone calls are conventionally billed or tariffed based on a length of the telephone call.

Titus in at least Column 5, lines 21-28 discloses a message being billed using a flat rate per message.

Claims 4 and 5:

With regard to the limitations:

- *Wherein the one or more billing destinations are selected from the following:*

- *An account uniquely associatable with the subscriber, updatable by the subscriber, and reference-able by the subscriber database and/or interfaced with another component of the mobile network.*

- *Wherein the account is updatable upon the transmission of a data transaction by the subscriber within the telecommunication network.*

Titus in at least Column 2, lines 40-47 discloses that voice telephone calls are conventionally billed or tariffed based on a length of the telephone call.

Titus in at least Colum 5, lines 21-28 discloses a prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak

& non-peak hours), and/or mobile location (i.e. network point code). The subscriber's account is subsequently billed.

Claim 6:

With regard to the limitation:

- *Wherein the routing of the tariff is effected in the same time frame as the transmission of the data transaction.*

Titus in at least Fig.1, Column 4, lines 59-67 and Column 5, lines 1-42 discloses the SMSC application 120 receiving an (SMSC-MO) mobile originated small message service from Mobile A and destined for Mobiles B & C (104, 106) and a Desktop Chat client (190) which are non-prepaid accounts. The SMSC validates the identify of Mobile A 102, then queries the prepaid short messaging account database 110 to determine if sufficient balance exists to deliver the message originated by Mobile A. The prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code). Mobile A's account is then debited based upon the billing rate as computer by the prepaid tariff engine 150 and the message is delivered to Mobile B & C and the Desktop Chat client.

Claim 7:

With regard to the limitation of any one of Claims 1 to 5:

- *Wherein the routing of the tariff is delayed for a predetermined time period so as to enable the grouping of multiple tariffs for subsequent routing to a billing destination.*

Titus/Countryman do not specifically disclose the limitation above per se, however Titus in at least Column 5, lines 64-67 and Column 6, lines 1-2 discloses that the prepaid short messaging

service 100 interfaces with a Short Message Service Center 120 and/or Web servers 140, 170 to buffer subscriber messages for a variable period of time and informs subscribers of pending messages. The application preferably suspends the subscriber service until their account balance has been sufficiently replenished. Titus in at least Column 7, lines 60-62 discloses that the present invention may accumulate and transmit short messages during non-peak or otherwise desirable times to reduce costs. Therefore, it would have obvious at the time of the invention, to one of ordinary skill to modify Titus' ability to accumulate and transmit short messages at an opportune time with the ability to accumulate tariffs over a pre-determined time period before routing to a billing destination with the motivation to minimize the amount of traffic due to the billing activity.

Claim 8:

With regard to the limitation:

- ***Wherein the one or more billing destinations are adapted to enable communication between the billing destinations to allow one billing destination to update another billing destination.***

Titus does not specifically disclose the limitation above per se, however Titus in at least Column 3, lines 49-53 discloses that the prepaid short messaging service can be implemented as a stand-alone service, or may be bundled with other applications, e.g., with a prepaid voice telephone call wireless application.

Countryman in at least Fig.1, Fig.2 and Column 8, lines 34-42 discloses in step 216, the prepaid service logic 107 may optionally initiate a transmission of a message indicating the updated balance information to either the originator 101 or an optional IP/SN 111, which in turn forwards the information to the originator 101. Countryman in at least Fig. 3A, Fig. 3B, Fig.4 and Column 9, lines 41-50 further discloses in step 410, the service logic 307 may initiate a transmission of a message indicating the updated balance information to either the subscriber/destination 301 or an optional IP/SN 310, which in turn forwards the information to the subscriber destination 301.

Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to combine the well known elements of Titus regarding prepaid messaging service with the equally well known elements of Countryman regarding determining the party responsible for the billing and forwarding the billing data to the proper billing destination to insure that responsible subscribers/clients are properly billed and properly informed regarding billing events affecting their account(s).

Claim 9:

With regard to the limitations:

- *Method to determine a correct transaction tariff value for the specific data transaction, comprising the steps of:*

- *Receiving a message identifier from at least one messaging platform, the message identifier being associated with a specific data transaction being routed through the messaging platform and having at least one unique identifier associated with the subscriber to the telecommunication network,*

- *Comparing the at least one identifier to determine a correct transaction tariff value for the data transaction,*

- *Routing the tariff value determined to one or more tariff destinations, based on the at least one identifier, and*

- *Wherein the determination of the correct tariff value is effected in a multi-step process.*

Titus does not specifically disclose the use of unique indicia associated with the subscriber or the use of a multi-step process for determining the correct tariff value per se; however in at least Column 3, lines 33-41 discloses that real-time billing can be implemented for the delivery of short messages, allowing the prepayment of short message services. The real-time billing can debit subscriber balances for service usage and can suspend short messaging services for a particular subscriber when the subscriber's account balance is depleted. Titus in at least Column 2, lines

49-57 further discloses that short messages may be tariffed based on the substance (size of, etc.) of the short message being transferred.

Titus in at least Column 4, lines 22-27 further discloses that the prepaid short messaging server 200 comprises a prepaid short messaging account database 110, a prepaid short messaging service application 100, and a prepaid short messaging service rating engine (i.e. prepaid tariff engine) 150.

Titus in at least Column 4, lines 41-50 discloses that the prepaid short messaging service supports service provider creation of subscriber classes of service that define and uniquely identify subscriber rate and/or tariffing plans used to apply real-time billing charges for sending or receiving messages

Titus in at least Fig.1, Column 4, lines 59-67 and Column 5, lines 1-42 discloses the SMSC application 120 receiving an (SMSC-MO) mobile originated small message service from Mobile A and destined for Mobiles B & C (104, 106) and a Desktop Chat client (190) which are non-prepaid accounts. The SMSC validates the identify of Mobile A 102, then queries the prepaid short messaging account database 110 to determine if sufficient balance exists to deliver the message originated by Mobile A. The prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: <u>Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code).</u> Mobile A's account is then <u>debited based upon the billing rate</u> as computer by the prepaid tariff engine 150 and the message is delivered to Mobile B & C and the Desktop Chat client.

Countryman however discloses a multi-step process for determining the correct tariff.

Countryman in at least Fig.1, Fig.3A and Column 1, lines 9-13 discloses a method, an apparatus and network architecture for <u>management of calls</u>, particularly prepaid calls in a telecommunications intelligent network. Countryman in at least Column 2, lines 23-37 discloses an invention for <u>managing a call between an originator and a destination</u> in a telecommunications

network. Countryman further discloses that the present invention is comprised of the steps of receiving a call initiation from the originator, determining a service type associated with the call, routing the call handle of the call to a service control point if the service type is a first service type, e.g., a prepaid service type, the service control point having a database of profiles of the plurality of subscribers of the telecommunications network, exchanging at least one message between the service control point and a service switching point to establish a communication link between the originator and the destination.

Countryman in at least Column 2, lines 50-61 further discloses that the establishment of the communication link is based on account balance information of the plurality of subscribers stored in the database.

Therefore, it would have been obvious, at the time of the invention to modify the Titus/Countryman combination to use a message identifier to identify the type of message and the applicable tariff and to use a unique identifier/indicia to associate the message with the subscriber with the motivation to insure that a subscriber was properly billed for usage of the telecommunication network and related services.

Claim 10:

With regard to the limitations:

- *Applying a set of pre-configurable rules to rating parameters uniquely identifiable with the specific data transaction so as to determine a rating criteria for that data transaction, and*

- *Comparing the rating criteria to a plurality of pricing criterion to evaluate the correct pricing criteria for that rating criteria, the correct pricing criteria providing the correct tariff value.*

Titus in at least Column 4, lines 41-50 discloses that the prepaid short messaging service supports service provider creation of subscriber classes of service that define and uniquely

identify subscriber rate and/or tariffing plans used to apply real-time billing charges for sending or receiving messages.

Titus in at least Fig.1, Column 4, lines 59-67 and Column 5, lines 1-42 discloses the SMSC application 120 receiving a (SMSC-MO) mobile originated small message service from Mobile A and destined for Mobiles B & C (104, 106) and a Desktop Chat client (190) which are non-prepaid accounts. The SMSC validates the identify of Mobile A 102, then queries the prepaid short messaging account database 110 to determine if sufficient balance exists to deliver the message originated by Mobile A. The prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: <u>Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code).</u> Mobile A's account is then <u>debited based upon the billing rate</u> as computer by the prepaid tariff engine 150 and the message is delivered to Mobile B & C and the Desktop Chat client.

Claim 11:

With regard to the limitation:

- ***Wherein the correct tariff value may be further modified by at least one price modifier, the at least one price modifier being definable by a set of rules uniquely associatable with the subscriber, and wherein the modified tariff value is the correct tariff value.***

Titus in at least Column 4, lines 41-50 discloses that the prepaid short messaging service supports service provider creation of <u>subscriber classes of service</u> that define and uniquely identify subscriber rate and/or tariffing plans used to apply real-time billing charges for sending or receiving messages.

Claim 12:

With regard to the limitations:

- *A billing and routing module comprising:*

- *Means for receiving at least one identifier uniquely associatable with a data transaction from the data switching centre,*

- *Means for evaluating the data transaction to as to determine a correct tariff rate for that transaction,*

- *Means for routing that tariff rate to a billing destination, and wherein the billing destination is selected from a plurality of configurable billing destination, at least one of which is not co-resident with the module.*

Titus does not specifically disclose the use of identifier/unique indicia associated with the subscriber per se, however in at least Column 3, lines 33-41 discloses that real-time billing can be implemented for the delivery of short messages, allowing the prepayment of short message services. The real-time billing can debit subscriber balances for service usage and can suspend short messaging services for a particular subscriber when the subscriber's account balance is depleted. Titus in at least Column 2, lines 49-57 further discloses that short messages may be tariffed based on the substance (size of, etc.) of the short message being transferred.

Titus in at least Column 4, lines 22-27 further discloses that the prepaid short messaging server 200 comprises a prepaid short messaging account database 110, a prepaid short messaging service application 100, and a prepaid short messaging service rating engine (i.e. prepaid tariff engine) 150.

Titus in at least Column 4, lines 41-50 discloses that the prepaid short messaging service supports service provider creation of subscriber classes of service that define and uniquely identify subscriber rate and/or tariffing plans used to apply real-time billing charges for sending or receiving messages

Titus in at least Fig.1, Column 4, lines 59-67 and Column 5, lines 1-42 discloses the SMSC application 120 receiving an SMSC mobile originated from Mobile A and destined for Mobiles B &

C (104, 106) and a Desktop Chat client (190) which are non-prepaid accounts. The SMSC validates the identify of Mobile A 102, then queries the prepaid short messaging account database 110 to determine if sufficient balance exists to deliver the message originated by Mobile A. The prepaid messaging service 100 invokes the prepaid tariff engine 150 to determine the appropriate message billing based upon, including but not limited to, the following exemplary criteria: Flat rate per message, message count (e.g., 10 messages @ $5.00), character count (e.g., $0.01/character), Time of Day, Day of Week (i.e. peak & non-peak hours), and/or mobile location (i.e. network point code). Mobile A's account is then debited based upon the billing rate as computer by the prepaid tariff engine 150 and the message is delivered to Mobile B & C and the Desktop Chat client.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

26 July 2010

/F. Ryan Zeender/
Supervisory Patent Examiner, Art Unit 3627